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Title 49
§§ 49-401 to 49-End

Including Legislation Enacted Through
The First Regular and The First Special Sessions
Of The Forty-Fifth Legislature (2001)



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"D. The contractor shall report to the director of environmental quality at least every six months in research results pursuant to a work plan approved by the director. The director of environmental quality shall submit those reports to the governor, the speaker of the house of representatives, the president of the senate, the joint legislative budget committee and the vehicle emissions identification, testing and repair research study oversight committee. By June 30, 2002, the director of environmental quality shall submit a preliminary progress report of the research study, including major findings and conclusions, to the governor, the speaker of the house of representatives, the president of the senate, the joint legislative budget committee and the vehicle emissions identification, testing and repair research study oversight committee.

"E. The director of environmental quality and the contractor shall report to the vehicle emissions identification, testing and repair research study oversight committee as requested by the committee.

"F. The research study shall be concluded not later than June 30, 2005, by which time the contractor shall submit a final report of its findings to the director of environmental quality. The director of environmental quality shall review the final report, prepare recommendations based on the report and submit the final report and recommendations to the governor, the speaker of the house of representatives, the president of the senate, the joint legislative budget committee and the

vehicle emissions identification, testing and repair research study oversight committee by September 30, 2005, after the opportunity for a thirty-day public review and comment period.

"Sec. 11. Vehicle emissions identification, testing and repair research study oversight committee

"A. The vehicle emissions identification, testing and repair research study oversight committee is established consisting of the following members:

"1. Three members of the senate appointed by the president of the senate, not more than two of whom shall be from the same political party.

"2. Three members of the house of representatives appointed by the speaker of the house of representatives, not more than two of whom shall be from the same political party.

"B. The oversight committee shall meet to review the progress of the vehicle emissions identification, testing and repair research project established pursuant to this act. The department of environmental quality and the contractor hired to conduct the research project shall report to the oversight committee at the committee's request on the status of the project.

"Sec. 12. Delayed repeal

"Sections 10 and 11 of this act relating to the vehicle emissions identification, testing and repair research study and oversight committee, are repealed from and after December 31, 2005."

49-541. Definitions

In this article, unless the context otherwise requires:

1. "Area A" means the area delineated as follows:

(a) In Maricopa county:

Township 8 north, range 2 east and range 3 east

Township 7 north, range 2 west through range 5 east

Township 6 north, range 5 west through range 6 east

Township 5 north, range 5 west through range 7 east

Township 4 north, range 5 west through range 8 east

Township 3 north, range 5 west through range 8 east

Township 2 north, range 5 west through range 8 east

Township 1 north, range 5 west through range 7 east

Township 1 south, range 5 west through range 7 east

Township 2 south, range 5 west through range 7 east

Township 3 south, range 5 west through range 1 east

Township 4 south, range 5 west through range 1 east

(b) In Pinal county:

Township 1 north, range 8 east and range 9 east

Township 1 south, range 8 east and range 9 east

Township 2 south, range 8 east and range 9 east

Township 3 south, range 7 east through range 9 east

(c) In Yavapai county:

Township 7 north, range 1 east and range 1 west through range 2 west

Township 6 north, range 1 east and range 1 west

~~2. "Area B" means the area delineated in Pima county as township 11 and 12 south, range 12 through 14 east; township 13 through 15 south, range 11 through 16 east; township 16 south, range 12 through 16 east, excluding any portion of the Coronado national forest and the Saguaro national park.~~

3. "Certificate of inspection" means a serially numbered device or symbol, as may be prescribed by the director, indicating that a vehicle has been inspected pursuant to the provisions of § 49-546 and has passed inspection.

4. "Certificate of waiver" means a serially numbered device or symbol, as may be prescribed by the director, indicating that the requirement of passing reinspection has been waived for a vehicle pursuant to the provisions of this article.

5. "Conditioning mode" means either a fast idle test condition or a loaded test condition.

6. "Curb idle test condition" means an exhaust emissions test conducted with the engine of a vehicle running at the manufacturer's specified idle speed plus or minus one hundred revolutions per minute but without pressure exerted on the accelerator.

7. "Emissions inspection station permit" means a certificate issued by the director authorizing the holder to perform vehicular inspections pursuant to this article.

8. "Fast idle test condition" means an exhaust emissions test conducted with the engine of the vehicle running under an accelerated condition to an extent prescribed by the director.

9. "Fleet emissions inspection station" means any inspection facility operated under a permit issued to a qualified fleet owner or lessee as determined by the director.

10. "Golf cart" means a motor vehicle which has not less than three wheels in contact with the ground, has an unladen weight of less than thirteen hundred pounds, is designed to be and is operated at not more than fifteen miles an hour and is designed to carry golf equipment and persons.

11. "Gross weight" has the same meaning prescribed in § 28-5431.

12. "Independent contractor" means any person, business, firm, partnership or corporation with which the director may enter into an agreement providing for the construction, equipment, maintenance, personnel, management and operation of official emissions inspection stations pursuant to § 49-545.

13. "Loaded test condition" means an exhaust emissions test conducted at cruise or transient conditions as prescribed by the director.

14. "Official emissions inspection station" means an inspection facility, other than a fleet emissions inspection station, whether placed in a permanent structure or in a mobile unit for conveyance among various locations within this state, for the purpose of conducting emissions inspections of all vehicles required to be inspected pursuant to this article.

15. "Tampering" means removing, defeating or altering an emissions control device which was installed at the time a vehicle was manufactured.

16. "Vehicle" means any automobile, truck, truck tractor, motor bus or self-propelled or motor-driven vehicle registered or to be registered in this state and used upon the public highways of this state for the purpose of transporting persons or property, except implements of husbandry, road rollers or road machinery temporarily operated upon the highway.

~~17. "Vehicle emissions control area" means area A or area B.~~

Amended by Laws 1997, Ch. 1, § 495, eff. Oct. 1, 1997; Laws 1998, Ch. 217, § 21; Laws 1999, Ch. 295, § 44; Laws 2001, Ch. 371, § 8.

